

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal Action No. 05- || |

KATSIARYNA KABIARETS,

Defendant.

REDACTED

INDICTMENT

The Federal Grand Jury for the District of Delaware charges that:

COUNT I

Introduction

1. At all times relevant to this Indictment, the defendant, KATSIARYNA KABIARETS, was employed as a waitress at a restaurant in Fenwick, Delaware.
2. During and in the course of her employment, the defendant, KATSIARYNA KABIARETS, routinely handled the credit cards of restaurant patrons.
3. At all times relevant to this Indictment, the defendant, KATSIARYNA KABIARETS, had a credit card “skimmer” that she had obtained from a person known to the Grand Jury as “U.” The skimmer extracts customer account information from the magnetic strip on the back of a credit card and logs it for later download to a computer.
4. From time to time, the defendant, KATSIARYNA KABIARETS, would take a credit card given to her by a restaurant patron for payment for the restaurant’s services and would pass the card through her skimmer in order to log credit card information for later delivery to “U.”
5. On at least one occasion, the defendant, KATSIARYNA KABIARETS, did deliver



logged credit card information to "U."

Charging Paragraph

6. From on or about August 6, 2005 until in or around November, 2005, in the State and District of Delaware, KATSIARYNA KABIARETS, the defendant herein, knowingly conspired and agreed with a person known to the Grand Jury as "U," and other persons unknown to the Grand Jury, to commit credit card fraud in violation of 18 U.S.C. § 1029(a)(2), to wit: to knowingly and with intent to defraud traffic in one or more unauthorized access devices during a one-year period, thereby obtaining property valued in excess of \$1,000, said conduct affecting interstate commerce. In furtherance of the conspiracy and to achieve the objects thereof, the defendant KATSIARYNA KABIARETS committed the following overt acts in the District of Delaware:

- A. On August 20, 2005, the defendant fraudulently obtained the credit card account information of "P.V." by "skimming" P.V.'s credit card at a restaurant in Fenwick, Delaware.
- B. On August 25, 2005, the defendant fraudulently obtained the credit card account information of "J.C." by "skimming" J.C.'s credit card at a restaurant in Fenwick, Delaware.
- C. On August 25, 2005, the defendant fraudulently obtained the credit card account information of "P.F." by "skimming" P.F.'s credit card at a restaurant in Fenwick, Delaware.
- D. On October 2, 2005, the defendant fraudulently obtained the credit card account information of "N.S." by "skimming" N.S.' credit card at a restaurant in Fenwick,

Delaware.

All in violation of Title 18, United States Code, Section 1029(b)(2).

COUNT II

From on or about August 6, 2005, through in or around November, 2005, in the State and District of Delaware, KATSIARYNA KABIARETS, the defendant herein, did knowingly transfer, without lawful authority, means of identification of other persons, to wit, credit card account information, during and in relation to conspiracy to commit credit card fraud in violation of 18 U.S.C. § 1029(b)(2), all in violation of Title 18, United States Code, Section 1028A.

COUNT III

On or about August 20, 2005, in the State and District of Delaware, KATSIARYNA KABIARETS, the defendant herein, did knowingly possess in and affecting interstate commerce, without lawful authority, a means of identification of another person, to wit, the American Express account number of "P.V.", with the intent to commit, or to aid and abet, any unlawful activity that constitutes a violation of Federal law, to wit, credit card fraud in violation of 18 U.S.C. § 1029(a)(2), all in violation of Title 18, United States Code, Sections 1028(a)(7) & 2.

COUNT IV

On or about August 25, 2005, in the State and District of Delaware, KATSIARYNA KABIARETS, the defendant herein, did knowingly possess in and affecting interstate commerce, without lawful authority, a means of identification of another person, to wit, the American Express account number of "J.C.", with the intent to commit, or to aid and abet, any unlawful activity that constitutes a violation of Federal law, to wit, credit card fraud in violation of 18 U.S.C. § 1029(a)(2), all in violation of Title 18, United States Code, Sections 1028(a)(7) & 2.

COUNT V

On or about August 25, 2005, in the State and District of Delaware, KATSIARYNA KABIARETS, the defendant herein, did knowingly possess in and affecting interstate commerce, without lawful authority, a means of identification of another person, to wit, the American Express account number of "P.F.", with the intent to commit, or to aid and abet, any unlawful activity that constitutes a violation of Federal law, to wit, credit card fraud in violation of 18 U.S.C. § 1029(a)(2), all in violation of Title 18, United States Code, Sections 1028(a)(7) & 2.

COUNT VI

On or about October 2, 2005, in the State and District of Delaware, KATSIARYNA KABIARETS, the defendant herein, did knowingly possess in and affecting interstate commerce, without lawful authority, a means of identification of another person, to wit, the ^{CITIGROUP} ~~American~~ Express account number of "N.S.", with the intent to commit, or to aid and abet, any unlawful activity that constitutes a violation of Federal law, to wit, credit card fraud in violation of 18 U.S.C. § 1029(a)(2), all in violation of Title 18, United States Code, Sections 1028(a)(7) & 2. Dam
ED
12/15/05

A TRUE BILL: A

Foreperson

COLM F. CONNOLLY
United States Attorney

By: Douglas E. McCann
Douglas E. McCann
Assistant United States Attorney

Date: December 15, 2005